

DISTRICT ADVISORY BOARD (DAB) I

MEETING MINUTES

Wednesday, October 8, 2008

6:30 p.m.

Atwater Community Center, 2755 E. 19th, Wichita, Kansas 67214

Members Present

Council Member Lavonta Williams
Steve Roberts
Treatha Brown-Foster
Janet L Wilson
Adam Thomsen
Gerald Domotrovic
Janice Rich
Lori Lawrence
Gail Finney*
Debra Miller-Stevens

Guests

Dale Carter, 1811 N Hillside
Betty Arnold, 5311 Pembroke
James Roseboro, 4518 Greenbriar
Mark Collins, 18500
Ed Givens, 227 N Battin
Shannon Palmer, 807 S Chautauqua
Eugene Smith, 2220 N Roosevelt
Beverly Domotrovic, 1219 GW Drive
Anthony, 1501 N Grove
Eric McDaniel
Sheri Proctor, 7 Stevie Court, Goodard
Patricia Fields

**Alternate*

City of Wichita Staff Present

Jess McNeely, Planning Department
Brad Snapp, Housing and Community Service
Gary Janzen, Public Works
Scott Knebel, Public Works
LaShonda Porter, Neighborhood Assistant

Order of Business

Call to Order

Council Member Williams called the meeting to order at 6:35 p.m. and welcomed the guests. **CM Williams** also asked that speakers keep their comments to two minutes as we had a very full agenda.

Approval of Minutes

Wilson noted a change to page 6 of the September minutes to include – first update was noted by CM Williams not Wilson. Also to note a change to her comment regarding the Westar technical hearing was scheduled for September 29th not October 29th.

Roberts (Brown-Foster) made a motion to approve the minutes as revised. Motion carried 8:0

Approval of Agenda

Roberts (Brown-Foster) made a motion to approve the agenda as revised – to include the staff reports from both Police and Fire. Motion carried 8:0

CM Williams thanked everyone for coming and asked that if anyone chose to speak that they state their name and address for the record. **CM Williams** also recognized Representative Oletha Faust-Gadeau and Betty Arnold.

Public Agenda

1. Agenda Items

No items submitted.

2. Off Agenda Items

No items submitted.

Staff Reports

3. Police Report

Paul Kimble, Beat 47 provide an update on Beat 45 and 47. He noted that on 45 Beat that Officer Gerdes was working on the Fairmount area burglaries and that extensive surveys have been done and the results should be completed for next months meeting. No major issues happening on that beat.

Kimble also noted that in 2500 block of Minnesota and shooting occurred and it is believed that it involves gang activity. **Kimble** noted that he has gotten both OCI and Animal Control involved and they are investigating and watching the house of suspicion closely. **Kimble** advised that in the 26000 block of Minnesota the 911 calls have increased. In reaction to these calls surveys have been completed and the results show that the community has concerns with gang activity, prostitution and the added traffic in the neighborhood.

Brown-Foster stated that we really need to work to clean the area up as this activity is happening to close the new Gordon Parks school.

Kimble noted that the landlord is reluctant to evict tenants. **Brown-Foster** also mentioned that Calvary Towers is also close to the school and area of concern. She also questioned if the tenants at Calvary Towers were still seniors. **Kimble** responded that it is no longer a senior facility that a new owner came in and change the tenants – we are hoping to try and change that.

CM Williams asked that Officer Kimble keep her informed so I can relay to NA President – and if she could assist in anyway to let her know.

Officer Warthern, 43 Beat advised that burglaries were up and that a juvenile has hit the same house three times, but he has now been arrested. He also noted that they are undergoing an action plan to address prostitution in the area. Other than those two areas of concern, the beat is quiet.

CM Williams asked if this is in the extended prostitution plan area. **Warthern** responded that area he is concerned with is near 13th & Grove.

Officer Ward, 46 Beat advised that they are reviewing the crime trends at Woodgate Apartments. He noted that Captain Easter has mandated that the Officers review their beats and determine which areas are driving the call load up and why. **Ward** noted that between March and May the Woodgate Apartments had 92 calls, 36 cases which equates to 3,600 minutes in staff time. **Ward** advised that they went to the apartment managers to try to address the issue but while the management team wanted to assist – the owners did not. However, they have gotten to add a crime free lease addendum to the rental

process. This addendum allows Officers and apartment managers to evict residents if they have issues with domestic violence, gang activity, and disorderly conduct. **Ward** noted that we have evicted several families since then and will continue to work with the managers to address any issues. Any addition, we also set up building watches and building captains to assist with these issues. The building captains are given a rent break as an incentive to participate in the program. **Ward** noted since this program has been in place the calls from May to June went to 103 calls, 22 cases and 3,635 minutes in staff time. **Ward** noted that although more calls have made he is not concerned as they are flushing out the problems and over time we will start to see that number decrease.

Ward also noted that Officer presence has increased, they are finding more people with warrants , they have built the trust of the people, taught them how and what to report to the Police.

Ward also reported that the trend of burglaries near Willowbend has increased. Between 9/23 and 9/25 – 9-10 burglaries have occurred. Officers received a description of the suspects and three women were arrested for the burglaries that had occurred.

Domotrovic wanted to know if Ward was getting cooperation from the management at Woodgate apartments. **Ward** responded yes.

Thomsen wanted to know if he had more information about the bank robbery at Dillon's. **Ward** responded that it was been investigated very aggressively.

Shek Weber, 44 Beat advised that there was a homicide at 2033 N. Minnesota and that it was still unsolved, but it was believed to be two black males who entered the home and shot the man who later died.

Weber advised that there was a drive by shooting at 1545 N. Kansas – Officers were in the area during the time of the shooting arresting two individuals for the activity.

Weber noted that he was working on a project with Sunflower Plaza apartments and 14th & Kansas.

Weber noted that the Beat 44 survey is hopefully in its final revision – close to being ready for review by the community.

Brown-Foster wanted to know if he attended the Neighborhood Association meeting for this area. **Weber** advised yes.

CM Williams stated that if she could assist with the apartment issue to let her know. **Weber** responded that he believes OCI has worked out a deal with the landlord to work on 1-building at a time.

Larry Carlson, 21 Beat advised that Judith Wensel ask that he remind everyone that they are looking for mentors and tutors for students of USD 259.

Carlson reported that Part I offenses are down on the beat. He noted that the Firefighters Parade would take place on Saturday, October 11 at 2:00 with a party to follow at Lincoln Park.

Carlson reported that on Beat 21 that the American Planning Association voted Old Town as one of the top places to visit.

Carlson noted that Part 1 offenses have went down in the area, larcenies have decreased by 45%; however, rapes are up. He also noted that the RICO trial is in effect.

Brown Foster what is the RICO trial and what does RICO stand for. **Carlson** responded that RICO stood for – Racketeer influenced and Corrupt Organizations Act, which was first used to prosecute the Mafia and other organized crime groups. The penalties for RICO convictions can be substantial.

Action Taken: Receive and file.

4. Fire Report

Ed Bricknell, Fire Department advised that from the big rain on September 12th increased the demand of the Fire department especially on the west of the big ditch. The Fire Department rescued 150 people from their cars.

Bricknell gave an update on the fires in the area included two fires deaths at 2801 W. Maple which was an attempted suicide and 5122 E. Boston – individual were smoking while on oxygen. Additional fires included:

- **1252 N. Poplar** – 2nd fire at this property – arson. Estimated damage is \$5,000
- **1317 N. Erie** – bedroom fire, unattended candle. Estimated damage is \$35,000
- **2462 N. Grove** – extension cord from house to garage. Estimated damage is \$11,000
- **435 N. Roosevelt** – extension cord in garage. Estimated damage is \$6,000
- **7627 E. 27th St N** – apartment fire from cigarette. Estimated damage is \$20,000
- **1560 E. 17th** – wiring on coffee pot. Estimated damage is \$15,000.

Bricknell advised that in the month of September the number of fires that occurred in Wichita included: District 1 (7), District 2 (1), District 3 (4), District 4 (6), District 5 (2) and District 6 (3). He also noted that the Fire Department had made some arrest. He also noted that this was Fire Prevention week.

Fine asked if this was Fire Prevention month. **Bricknell** advised that month of November is Fire Prevention month.

Brown-Foster asked how far people should park away from hydrants. **Bricknell** advised that they must be parked at least 3 feet away.

Action Taken: Receive and file.

Unfinished Business

5. CON2008-00032

Jess McNeely, Planning Department presented information on the request for a conditional use permit for a wireless communication facility generally located south of Kellogg Drive, midway between Grove Street and Hillside Avenue, on the west side of Erie. **McNeely** advised that this case was deferred at August 4th DAB meeting. He also noted that the case was approved by the

MAPC on July 24th and the City Council deferred the case back to the DAB and it is scheduled to go back to Council November 4th. **McNeely** noted that this deferred has generated a 47% protest ratio – which would require a $\frac{3}{4}$ majority vote for City council. **McNeely** noted that the request includes screening with meets the setback compatibility requirements. **McNeely** stood for questions.

Greg Ferris representative for T-Mobile noted that research showed that property values studies have been conducted and they show that property values are unaffected when wireless communication poles are located in a neighborhood. He also noted that he has spoke with some of the neighbors and wanted to know if the pole did not go in this location then where.

Wilson wanted to know if they would use the still gray poles and if they will still provide landscaping. **Ferris** responded yes and that they actually blend in the best and yes landscaping is still in the plans.

Brown-Foster wanted to know if they installed the monopole out West. **Ferris** stated yes.

Shannon Palmer, 807 S. Chautauqa, President of Sunnyside NA noted that after discussing this request with neighborhood association they would like some compensation for approving the request as the community:

1. Fencing on the opposite side of the street from I-135 to Hillside
2. A separate contractor be hired for the neighborhood association to contact if they have concerns with the maintenance of the property and
3. A donation to the neighborhood association to help address blight.

Palmer noted that if these two items are approved they would support the tower.

Sherry Proctor, 7 Stevie Court, Goddard advised that she is the listing agent on this property. She noted that she loses calls coming on the intersection at I-135 about 50% of the time. She also noted that during the peak hour it is almost impossible to keep a call due to lack of signal in this area. She noted that will also the agent on the property this is a needed tower. She also noted that the tower would not be facing houses and the house to the South of the tower site is already zoned light commercial.

Mark Collins, 2801 E Kellogg advised that he does not support the tower and that 1) the monopole will not blend in with the others poles – it will be an eyesore; 2) he did not want the pole next to his business; 3) realtors have informed him that his property values would go down; and 4) if it does go in it should sit back farther on the property.

CM Williams asked if Ferris would work with the neighbors on landscaping. **Ferris** stated if they have suggestions we are open for discussion.

McNeely advised that landscaping code would require the property owner to maintain the landscaping. **McNeely** noted that they do not recommend a contractor and that if the landscaping is not consistent the property owner can be sited by OCI which could result in a loss of their conditional use permit.

Palmer noted that the current landlord is not maintaining his current property and the neighborhood association is not comfortable they will maintain the property in the future.

Ferris noted that the current land owner is in Tennessee and if the conditional use is approved a new owner will take over the land.

CM Williams asked if T-Mobile would be willing to make a donation to the neighborhood association. **Ferris** responded that I could talk to T-Mobile and/or landowner as that would be a decision for them to make.

Lawrence asked if this would require a $\frac{3}{4}$ majority vote for approval from City Council. **McNeely** stated yes.

Thomsen stated that it should not be the neighborhood association's responsibility to call OCI every week or month to report the failed maintenance of the property owners.

Domotrovic noted that City is going to enforce the rules to their best of their ability. **Domotrovic** also noted that he has a problem with the donation and does not feel it is appropriate.

Palmer advised that we are asking for a donation since revenue will be made and the company should give back to the neighborhood it is impacting.

Action Taken: Domotrovic made a motion to concur with the MAPC findings and approve the request. Brown-Foster 2nd motion. Motion carried. (6:1) Thomsen voted against.

**Miller-Stevens abstained from voting.*

New Business

6. Housing Consolidated Plan – Priority Needs

Brad Snapp, Housing and Community Service presented information on the survey to prioritize Wichita housing needs. Wichita is recognized as an "entitlement" city by the U.S. Department of Housing and Urban Development (HUD). This is based on a federal formula which looks at total population, the number of persons below the poverty level, the number of overcrowded housing units, the age of housing and the population growth lag.

As a result of our "entitlement" status, we receive annual allocations for the following programs based on the formula results and available funds: Community Development Block Grant (CDBG); HOME Investment Partnership Program (HOME); American Dream Development Initiative (ADDI); and Emergency Shelter Grant Program (ESG). The amount of the allocation is determined by the budget adopted by Congress in any given year.

One of the required components of the plan is the establishment of community priority needs. In order to establish priority needs, the City must seek input from a variety of stakeholders. Focus should be on areas of need which are eligible for federal funding. Because federal funds are being reduced every year, it is critical that the community priority needs be established, in order to provide guidance in funding decisions.

A survey has been developed to obtain public input based on eligible activities under each funding category. Surveys are being distributed to DAB's WIN, Public Housing tenants and Section clients, HOME program recipients, and non-profits. The survey will also be available on the City's website. Some of the CDBG eligible activities include: Housing, Community Development, Public Facility Construction/Improvement (sidewalks, park improvements), Infrastructure, Historic Preservation, Public Service (Neighborhood Assistants, Job training), Economic Development and youth.

Snapp went on to describe the goals and activities of the HOME and ESG programs. Some examples include CHDO;s and homeless assistance activities. The priority needs schedule will include survey completion through the month of November; the results will be tabulated in

December and the presentation of the results will be made to the City Council in January 2009.

Snapp noted that once the priorities have been established, staff will ask Council to review the geographic boundaries for the: 1) Neighborhood Revitalization Area; 2) Local Investment Areas; and 3) the Redevelopment Incentive Area. The review will determine whether there is a need to make changes in the target areas for Consolidated Plan funding.

Snapp asked that DAB member's take the time to complete the surveys and return them by November 30, 2008. **Snapp** thanked them for their assistance and stood for questions.

Roberts asked if Housing staff utilized the United Way community service plan. **Snapp** advised that yes we have and that they have also utilized the Transforming Wichita survey to assist in the development of the plan.

Wilson asked how this tied into the New Communities Initiative (NCI). **Snapp** advised that they will do several projects in the NCI area. **Wilson** then stated that people are frustrated with this process because there is no money available, but Mennonite Housing and Power CDC continues to get access to funds.

Snapp asked Wilson if she could provide him with specific examples for him to look into. **Wilson** advised that she would and they could discuss after the meeting.

Action Taken: Brown-Foster motion to receive and file presentation. Roberts 2nd the motion. Motion passed (8:0).

7. CUP2008-00032

Jess McNeely, Planning Department presented information on the request to amendment to the conditional use permit to increase building sign permits from 32 square feet to 50 and 96 square feet for a medical office and pharmacy. **McNeely** advised that it is uncommon for the request of increased signage. **McNeely** advised that the MAPC heard the case on September 25, 2008 and approved the request. He also noted that the signs are facing the shopping center and has no impact to surroundings properties.

Roberts asked what were the size of the signs. **McNeely** advised that they are requesting for 50 and 96 square feet signs.

Thomsen asked if they signs were facing residential properties. **McNeely** stated no.

Lawrence asked if this was Wichita Clinic making the request. **McNeely** stated yes.

Action Taken: Brown-Foster motion to approve the recommendation based on the staff report. Roberts 2nd the motion. Motion passed (7:0). Debra Miller-Stevens abstained from the vote.

8. Intrust Bank Arena Street Improvements

Gary Janzen, Public Works presented the proposed street improvements for the Intrust Bank Arena. He noted that they are currently working through the finance issues with the County – but believe they will shortly reach an agreement. **Janzen** noted that they are still discussing the TIF district but have estimated project costs as follows:

Washinton & Waterman - \$6,687,120 (includes right-of-way purchased by the County and City of Wichita utility costs);

Topeka, Kellogg to Waterman - \$1,348,503

Emporia, Waterman to William - \$903,738

William, Emporia to Commerce - \$739,000

St Francis, from the north side of the Arena to Douglas - \$646,000

Janzen noted that the remaining street improvements will consist of pavement reconstruction, drainage improvements, upgraded traffic signals, wider sidewalks, streetscaping/landscaping and new street lighting. Topeka, William and St. Francis will be converted to two-way streets. On-street parking will be eliminated on Topeka, and will consist of parallel parking on both sides of Emporia and diagonal parking on the north side of William and the east side of St. Francis. Construction is planned to begin next April and be completed in November.

The Washington and Waterman intersection improvement will provide turn lanes at all four approaches, a new storm water sewer system, upgraded traffic signals and wider sidewalks. A 48" water line will be installed through the area as part of a new supply line to a booster pump station in southeast Wichita. Pending final right-of-way acquisition by Sedgewick County, construction will begin next spring and be completed in the fall.

Janzen noted that they are also working with transit to add a pedestrian (wide) crosswalk near the transit facility and it will also be signalized.

Wilson wanted to know if they would coordinate the light system throughout downtown. **Janzen** responded the yes we are looking at that and we are also looking at upgrading our system.

Wilson also wanted to know if they thought about putting in planters along Emporia. **Janzen** stated that they sometimes tend to be a problem including vandalism.

Brown-Foster asked where are the benches going to be located. **Janzen** stated that are going to located throughout downtown as they want the area to be pedestrian friendly.

Lawrence asked if they had worked in audible crosswalks in the budget. **Janzen** stated that they are looking into it.

Action Taken: Roberts motion to approve the recommendation based on the staff report. Brown-Foster 2nd the motion. Motion passed (8:0).

9. Improvements to Intersection of 17th and Hillside

Gary Janzen, Public Works presented the plans for improvements to the interaction of 17th and Hillside. **Janzen** noted that the project will provide turn lanes on all approaches at 17th and Hillside, replace the pavement between Hillside and Grove, and includes drainage improvements. **Janzen** noted that the traffic signals will be upgraded to provide left turn signal phases at all approaches to the intersections.

Janzen advised that they will receive federal funds in the amount of \$2M in 2009 and City will provide \$1M in 2009 so that the project may begin in March 2009.

Finney wanted to know if flooding will still be an issue west of Grove once the project is completed. **Janzen** advised yes but they are still looking at the issue.

Action Taken: Roberts motion to approve the recommendation based on the staff report. Brown-Foster 2nd the motion. Motion passed (8:0).

10. Petition to pave Siefkin Lane, between Willow Lane and the cul-de-sac to the northeast

Shawn Mellies, Public Works presented the petition to pave Siefkin Lane, between Willow Lane and the cul-de-sac to the northeast. He noted that the signatures of the petition represent 5 of 9 (56%) resident owners and 64% of the improvement district area. **Mellies** advised that state statute only consider a petition valid when signed by a majority of the resident property owners or

owners of the majority of the property in the improvement district. This petition meets both requirements.

The estimated project cost is \$185,000 with \$181,500 assessed to the improvement district and \$3,150 paid by the City. The method of assessment is a fractional basis. The City share is for the cost for new culvert pipes for each drive. **Janzen** also noted that each property owner would be assessed approximately \$34,000 each.

Finney wanted to know if the residents made the request to have the street paved. **Mellies** responded yes – street paving is always initiated by the residents.

Action Taken: Roberts motion to approve the petition. Brown-Foster 2nd the motion. Motion passed (8:0).

11. Bond Issue Briefing

Betty Arnold, USD 259 presented information on the proposed Bond Issue for USD 259. She noted that the Bond Issue not only addresses the needs of schools, but it also has significant impact on jobs; 25% of our tax dollars could come back to Wichita (\$92.5M) if we build new schools; \$18M could back to Wichita from the federal government if FEMA requirements are met. **Arnold** noted that the bond issue has a big impact to District I as, this Triple A area has not had a new school in years. The bond issue will replace Isley and partially replace Spaght which equates to \$48M. In the northeast quadrant the bond issue will spend approximately \$100M on improvements to our schools.

Miller-Stevens asked if Arnold could elaborate on the additional cost for technology. **Arnold** responded that \$1M will be spent at comprehensive schools to upgrade their current technology. \$10M set aside for a magnet program to be added to the schools.

Finney wanted will there be additional resources required. **Arnold** stated yes that the bond is only for building construction opportunities.

John Stevens, 3125 E, Boston noted that he is opposed to the current bond issue and that brand new buildings won't fix the problem.

Anthony Suber, 1950 N Spruce commented that he is seeing elderly who can't even get insurance on their homes so adding this additional tax is going to be a burden. **Suber** stated we need to address the requirements of our teachers – morals have been lost and the real question is does the community want this?

John Jenkins, 1500 N Armour stated these issues are correct but we have some issues with our schools.

Finney wanted to know what were the incentives for the teachers. **Arnold** responded here the teachers get to select what schools they teach at and have a decent facility helps in their decision.

Miller-Stevens commented we need to address the academic issues we are seeing.

Action Taken: Receive and file.

Board Agenda

12. Updates, Issues, and Reports

Miller-Stevens noted that the South Central Firefighters parade was taking place Saturday, October 11th.

Wilson advised that A Price Woodard would meet Thursday at 5:30 p.m.

With no further business, **Roberts (Thomsen)** made a motion to adjourn. Motion carried 8-0. The meeting adjourned at 10:09 p.m.

Respectfully Submitted,
LaShonda Porter
Neighborhood Assistant